

REMARKS

This communication is a full and timely response to the aforementioned non-final Office Action dated June 1, 2007. By this communication, claims 1-5, 7-12, 14-19, and 21 are amended. Claims 1-21 remain pending. Reconsideration and allowance of this application are respectfully requested.

Claim Objections

Claims 2, 9, 15, and 19 were objected to for alleged informalities. Applicants have amended these claims for clarity and respectfully submit that the claim scope remains unchanged. Withdrawal of this objection is respectfully requested.

Rejections Under 35 U.S.C. § 103

Claims 1-5, 7-12, 14-19, and 21 were rejected under 35 U.S.C. §103(a) as unpatentable over the *Moro* publication (U.S. Patent Publication No. 2004/0095605) in view of *So* (U.S. Patent No. 6,628,419). Applicants respectfully traverse this rejection.

The Patent Office (PTO) alleges that the *Moro* publication discloses every element recited in Applicants' claims except for a plurality of compressing/expanding devices operating in parallel. The Examiner relies on the *So* patent in an effort to remedy this deficiency. Applicants respectfully submit, that even if the *Moro* publication and the *So* patent are applied as alleged, the combined references still do not disclose or suggest every element recited in Applicants' claims.

The *Moro* publication discloses an image forming apparatus having a compression/ decompression section 45, which includes a variable-length compression/ decompression processing section 451 and a fixed-length

compression/decompression processing section 452. When monochromatic image data has been input for processing, the variable-length section 451 is selected to compress the image data. When color and monochromatic image data is input, both the fixed-length section 452 and the variable-length section 451 are selected to process the image data. The color image data is compressed by the fixed-length processing section 452 and then further compressed by the variable-length processing section 451 (which is evidence of a serial process operation). As acknowledged by the PTO, the *Moro* publication fails to disclose that compression and/or decompression can be performed through parallel processing of the data.

The So patent teaches an image forming device having compression and decompression operations performed by a bank of compressors 3, and decompressors 4, respectively. Each bank contains four units, such that each unit processes a particular chromatic component (YMCK) of the image. The So patent discloses that in a case of a monochromatic image, even though the macro block (MB) images contain only a K component, the images are sent to the compressor 3 so that the Y, M, C, and K units operate in parallel. That is, all four units within the compressor 3 process the monochromatic image in parallel. The image compressors send the compressed images to a storage 4. During expansion, each unit (Y, M, C, K) of the image decompressor 4 decompresses the stored compressed images, respectively. For color image processing, the So patent again discloses that all four compressors in the image compressor 3 and all four decompressions in the image decompressor 5 are used to process the image. It does not appear that the So patent makes provision for selectively using less than all of the image compressors or decompressors, since when processing either a monochromatic or color image all

units (Y, M, C, K) in the compressor 3 and decompressor 5 are allocated (see Fig. 3; paragraph beginning at line 64 of column 4; column 5, line 56 through column 6, line 21).

Applicants' claims, recite in part, that in cases where the data includes a small amount of information a transfer controller transfers data to be output to an output portion through less than all of said plurality of compressing/expanding devices operating in parallel. Stated differently, Applicants' compressing/expanding device can be selectively activated based on the amount of data that requires processing. Because neither the *Moro* publication nor the *So* patent contemplate a feature as such, Applicants respectfully submit that a *prima facie* case of obviousness has not been established. Withdrawal of this rejection is respectfully requested.

The Office has the initial burden of establishing a **factual basis** to support the legal conclusion of obviousness. In re Oetiker, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992). For rejections under 35 U.S.C. § 103(a) based upon a combination of prior art elements, in KSR Int'l v. Teleflex Inc., 127 S.Ct. 1727, 1741, 82 USPQ2d 1385, 1396 (2007), the Supreme Court stated that "a patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art." "Rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some **articulated reasoning with some rational underpinning** to support the legal conclusion of obviousness." In re Kahn, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006) (emphasis added).

Claims 6, 13, and 20 stand rejected under 35 U.S.C. §103(a) as unpatentable over the *Moro* publication in view of the *So* patent and further in view of the *Shiohara* publication. Applicants respectfully traverse this rejection.

Applicants respectfully submit that claims 6, 13, and 20 are distinguishable over the prior art of record based on their dependency from claims 1, 8, and 15, respectively and the additional features recited therein. Without acquiescing to the alleged teachings of *Shiohara*, Applicants submit that even if this reference could be reasonably combined with the *Moro* publication and the *So* patent, the resulting concept will still fall far short of establishing *prima facie* obviousness. For instance, *Shiohara* discloses a digital camera and printing system and is applied for its alleged teachings of processing binarized color data. *Shiohara*, however, does not disclose or suggest the use of less than all of said compressing/expanding devices that operate in parallel as recited in Applicants' claims. Absent a teaching as such, the deficiencies of the *Moro* publication and the *So* patent cannot be overcome. Therefore, because the *Moro* publication, the *So* patent, and *Shiohara* when applied individually or in combination as alleged, fails to disclose or suggest every element recited in Applicants' claims that the PTO has failed to meet its burden of establishing *prima facie* obviousness. Withdrawal of this rejection is respectfully requested.

Conclusion

Based on at least the foregoing amendments and remarks, Applicants submits that claims 1-21 are allowable, and this application is in condition for allowance. Accordingly, Applicants requests a favorable examination and consideration of the instant application. In the event the instant application can be placed in even better form, Applicants requests that the undersigned attorney be contacted at the number below.

Respectfully submitted,

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By: _____


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